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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

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7 MCKIMMEY ELECTRIC, INC.,
8 a Nevada corporation,

9 Plaintiff,

10 vs.

11 FLAMINGO/TC, LLC, a Nevada
12 limited liability company, et al,

13 Defendants.

14 AND RELATED INTERVENTION ACTIONS
15

2:10-CV-00382-PMP-RJJ

ORDER

16 Before the Court for consideration is Defendant Iota Indigo, LLC's Motion
17 for Stay Pending Appeal (Doc. #148), filed on November 12, 2010. On November
18 18, 2010, Plaintiffs McKimney Electric, Inc., and Lien Claimants, LDI Mechanical,
19 Inc., Chaparral Contracting, Inc., and San Gabriel Construction, Inc., filed an
20 Opposition thereto (Doc. #151). Joinder's in that Opposition were subsequently
21 filed by Intervenor's AC Houston Lumber Co., (Doc. #155), Dean and Dean
22 Roofing, LLC (Doc. #156) and Norpac Constructions (Doc. #157). On November
23 24, 2010, Defendant Iota Indigo, LLC filed a Reply Memorandum (Doc. #158).

24 On November 12, 2010, Defendant Iota Indigo, LLC filed a Notice of
25 Appeal (Doc. #149) of this Court's Order (Doc. #139) entered October 13, 2010,
26 which granted Plaintiff McKimney Electric, Inc., and Lien Claimants' Motion for

1 Order of Sale of Lien's Property (Doc. #126). By the instant motion, Defendant Iota
2 Indigo, LLC seeks a stay of this Court's Order (Doc. #139) pending appeal. The
3 Court finds that any stay of this Court's Order (Doc. #139) entered October 13, 2010,
4 should be conditioned upon the filing of a supersedeas bond pursuant to
5 Rule 8(a)(1)(B) of the Federal Rules of Appellate Procedure.

6 **IT IS THEREFORE ORDERED** that Defendant Iota Indigo, LLC's
7 Motion for Stay Pending Appeal (Doc. #148) is GRANTED conditioned upon
8 Defendant Iota Indigo, LLC's filing within (30) days of the date of this Order, a
9 supersedeas bond in the amount of \$4,000,000.

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11 DATED: November 29, 2010.

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14 PHILIP M. PRO
15 United States District Judge
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